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GIBBONS P.C. ONE GATEWAY CENTER NEWARK, NJ 07102			EXAMINER PIZIALI, JEFFREY J	
			ART UNIT 2629	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/799,349	<b>Applicant(s)</b> HOERL, DAVID	
	<b>Examiner</b> Jeff Piziali	<b>Art Unit</b> 2629	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 June 2007 and 13 November 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24, 26-28, 31 and 32 is/are pending in the application.
- 4a) Of the above claim(s) 6, 16-24, 26-28, 31 and 32 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Election/Restrictions*

1. Applicant's election without traverse of *Species I (Claims 1-5 and 7-15)* in the reply filed on 3 June 2010 is acknowledged and appreciated.

2. *Claims 6, 23, 24, 26-28, and 31 are withdrawn* from further consideration pursuant to 37 CFR 1.142(b) as being drawn to nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 3 June 2010.

### *Claim Rejections - 35 USC § 112*

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. *Claims 1-5 and 7-15* are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

The claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention.

Claim 1 recites the subject matter: "*said first and second wireless communication device of said transceivers condition keyboard-video-mouse signals, where appropriate, to operate in a peer-to-peer network to thereby enable monitoring and control of said remote devices*"

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**without use of a switch to control connection between any one of said first transceivers and said second transceivers" (lines 10-13).**

Any negative limitation or exclusionary proviso must have basis in the original disclosure. See *Ex parte Grasselli*, 231 USPQ 393 (Bd. App. 1983), *aff'd mem.*, 738 F.2d 453 (Fed. Cir. 1984). The mere absence of a positive recitation is not basis for an exclusion. See MPEP 2173.05(i).

For example, the original disclosure of the invention does not teach forming the claimed elements without using any transistors (or any other types of switches).

Claim 13 recites the subject matter: "***said list is automatically updated with additional remote devices without changing operational modes.***"

Any negative limitation or exclusionary proviso must have basis in the original disclosure. See *Ex parte Grasselli*, 231 USPQ 393 (Bd. App. 1983), *aff'd mem.*, 738 F.2d 453 (Fed. Cir. 1984). The mere absence of a positive recitation is not basis for an exclusion. See MPEP 2173.05(i).

The original disclosure of the invention does not teach the "*without changing operational modes*" subject matter, as instantly claimed.

5. *Claims 1-5 and 7-15* are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

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The claims contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 1 recites the subject matter: "***said first and second wireless communication device of said transceivers condition keyboard-video-mouse signals, where appropriate, to operate in a peer-to-peer network to thereby enable monitoring and control of said remote devices without use of a switch to control connection between any one of said first transceivers and said second transceivers***" (lines 10-13).

Any negative limitation or exclusionary proviso must have basis in the original disclosure. See *Ex parte Grasselli*, 231 USPQ 393 (Bd. App. 1983), *aff'd mem.*, 738 F.2d 453 (Fed. Cir. 1984). The mere absence of a positive recitation is not basis for an exclusion. See MPEP 2173.05(i).

For example, the original disclosure of the invention is not enabled for forming the claimed elements without using any transistors (or any other types of switches).

Claim 13 recites the subject matter: "***said list is automatically updated with additional remote devices without changing operational modes.***"

Any negative limitation or exclusionary proviso must have basis in the original disclosure. See *Ex parte Grasselli*, 231 USPQ 393 (Bd. App. 1983), *aff'd mem.*, 738 F.2d 453 (Fed. Cir. 1984). The mere absence of a positive recitation is not basis for an exclusion. See MPEP 2173.05(i).

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The original disclosure of the invention does not enable the "*without changing operational modes*" subject matter, as instantly claimed.

6. The remaining claims are rejected under 35 U.S.C. 112, first paragraph, as being dependent upon rejected base claims.

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. *Claims 1-5 and 7-15* are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

9. Claim 1 recites the limitation "***said first and second wireless communication device***" (*line 10*). There is insufficient antecedent basis for this limitation in the claim.

The claim earlier recites the subject matter: "*a plurality of first transceivers each having a first wireless communications device*" (*line 3*) and "*a plurality of second transceivers each having a second wireless communications device*" (*line 6*).

Since each first transceiver has a first wireless communications device, and each second transceiver has a second wireless communications device; it would be unclear to one having ordinary skill in the art which of the plurality of first/second wireless communications devices, if any, the limitation "***said first and second wireless communication device***" is intended to refer to.

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10. Claim 1 recites the limitation "**said transceivers**" (*line 10*). There is insufficient antecedent basis for this limitation in the claim.

It would be unclear to one having ordinary skill in the art whether this limitation is intended to refer to the earlier recited "*a plurality of first transceivers*" (*line 3*) and/or "*a plurality of second transceivers*" (*line 6*).

11. The term "**where appropriate**" in claim 1 (*line 11*) is a relative term which renders the claim indefinite.

The term "**where appropriate**" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

It would be unclear to one having ordinary skill in the art what is intended to distinguish between an "*appropriate*" situation and an "*inappropriate*" situation.

12. Claim 1 provides for the "**use of a switch**" (*line 12*), but, since the claim does not set forth any steps involved in this "**use of a switch**" method/process, it is unclear what method/process applicant is intending to encompass. A claim is indefinite where it merely recites a use without any active, positive steps delimiting how this use is actually practiced.

13. Claim 13 recites the limitation "**changing operational modes**" (*line 2*). There is insufficient antecedent basis for this limitation in the claim.

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No "*operational modes*" have earlier been recited in the claims. It would be unclear to one having ordinary skill in the art how unclaimed "*operational modes*" can be changed.

Changed relative to what?

14. The remaining claims are rejected under 35 U.S.C. 112, second paragraph, as being dependent upon rejected base claims.

15. The claims are rejected under 35 U.S.C. 112, second paragraph, as being indefinite.

As a courtesy to the Applicant, the examiner has attempted to also make rejections over prior art -- based on the examiner's best guess interpretations of the invention that the Applicant is intending to claim.

However, the indefinite nature of the claimed subject matter naturally hinders the Office's ability to search and examine the application.

Any instantly distinguishing features and subject matter that the Applicant considers to be absent from the cited prior art is more than likely a result of the indefinite nature of the claims.

The Applicant is respectfully requested to correct the indefinite nature of the claims, which should going forward result in a more precise search and examination.

### ***Claim Rejections - 35 USC § 103***

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person



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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. *Claims 1-5 and 7-15* are rejected under 35 U.S.C. 103(a) as being unpatentable over *Schneider et al (US 6,304,895 B1)* in view of *Dellmo et al (US 2002/0095594 A1)* and the instant *Application's Admitted Prior Art (AAPA)*.

Regarding claim 1, *Schneider* discloses a system [*e.g., Fig. 1ABC*] for providing wireless monitoring and control of remote devices [*e.g., Fig. 1A-1C: 20abc*], said system comprising:

a plurality of first transceivers [*e.g., Fig. 1A-1C, 2: 12*] each having  
a first wireless communications device [*e.g., Fig. 1A-1C: 53*] and  
each said first transceiver being coupled to a keyboard [*e.g., Fig. 1A-1C, 2: 122*],  
a video monitor [*e.g., Fig. 1A-1C, 2: 120*] and  
a cursor control device [*e.g., Fig. 1A-1C, 2: 124*]  
for receiving signals from said keyboard and said cursor control device; and  
a plurality of second transceivers [*e.g., Fig. 1A-1C: 50*] each having  
a second wireless communications device [*e.g., Fig. 1A-1C: 53*] and  
each said second transceiver being coupled to at least one of said remote devices  
for receiving video data [*e.g., Fig. 1A-1C: via 120*] from said remote devices and  
for transmitting said video data to said first transceivers over a wireless network (*e.g.,*

*Column 4, Line 65: "device 53 may include... a wireless transceiver for wirelessly communicating")*,

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wherein said first and second wireless communication device of said transceivers condition keyboard-video-mouse signals, where appropriate, to operate in a peer-to-peer network (*e.g.*, *see Fig. 1C -- wherein the target controller 50 is integrated within each target computer 20abc*)

to thereby enable monitoring and control of said remote devices without use of a switch to control connection between any one of said first transceivers and said second transceivers (*see the entire document, including Column 3, Line 25 - Column 17, Line 45*).

Should it be shown that **Schneider** discloses a *peer-to-peer network*, as instantly claimed, with insufficient specificity:

**Dellmo** discloses a system [*e.g.*, *Fig. 4*] for providing wireless monitoring and control of remote devices [*e.g.*, *Fig. 4: 25*], said system comprising:

a plurality of first transceivers [*e.g.*, *Fig. 4: 25*] each having  
a first wireless communications device [*e.g.*, *Fig. 4: 20*] and  
each said first transceiver being coupled to a keyboard, a video monitor and a cursor control device [*e.g.*, *see Fig. 2*]

for receiving signals from said keyboard and said cursor control device; and

a plurality of second transceivers [*e.g.*, *Fig. 4: 25*] each having

a second wireless communications device [*e.g.*, *Fig. 4: 20*] and

each said second transceiver being coupled to at least one of said remote devices

for receiving video data [*e.g.*, *sharing data and programs*] from said remote devices and

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for transmitting said video data to said first transceivers over a wireless network [*e.g.*, *Fig. 4: 35*],

wherein said first and second wireless communication device of said transceivers condition keyboard-video-mouse signals, where appropriate, to operate in a peer-to-peer network [*e.g.*, *Fig. 4: 35*]

to thereby enable monitoring and control of said remote devices without use of a switch to control connection between any one of said first transceivers and said second transceivers (*see the entire document, including Paragraphs 31-61*).

***Schneider*** and ***Dellmo*** are analogous art, because they are from the shared inventive field of wireless computer networks.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention to use ***Dellmo's*** wireless peer-to-peer networking system and communication techniques to form ***Schneider's*** remote computer monitoring and control system, so as to provide secure communications between the controlling and target devices, without requiring an intervening central server.

Should it be shown that the combination of ***Schneider*** and ***Dellmo*** still discloses a *peer-to-peer network*, as instantly claimed, with insufficient specificity:

The ***AAPA*** discloses that a peer-to-peer network was a known wireless communication configuration between computers at the time of invention (*see the entire AAPA, including Pages 7-8 and 13-14*).

**Schneider**, **Dellmo**, and the **AAPA** are analogous art, because they are from the shared inventive field of wireless computer networks.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention to use the **AAPA's** wireless peer-to-peer networking system and communication techniques to form **Dellmo's** and **Schneider's** combined remote computer monitoring and control system, so as to make use of a well known and commonly understood computer communications protocol.

Moreover, it would have been obvious to one of ordinary skill in the art at the time of invention because all the claimed elements were known in the prior art and one skilled in the art could have combined *the AAPA's wireless peer-to-peer networking system and communication techniques to form Dellmo's and Schneider's combined remote computer monitoring and control system* as claimed by known methods with no change in their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

Regarding claim 2, **Dellmo** discloses said wireless network is an 802.11 wireless network (*e.g., see Paragraph 14*).

The **AAPA** discloses said wireless network is an 802.11 wireless network (*e.g., see Pages 6-10*).

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Regarding claim 3, **Dellmo** discloses said wireless network is an ad-hoc wireless network (*e.g., see Paragraph 35*).

The **AAPA** discloses said wireless network is an ad-hoc wireless network (*e.g., see Pages 7-10*).

Regarding claim 4, **Dellmo** discloses said wireless network is an infrastructure wireless network (*e.g., see Paragraph 36*).

The **AAPA** discloses said wireless network is an infrastructure wireless network (*e.g., see Pages 7-8*).

Regarding claim 5, the **AAPA** discloses said wireless network is a Bluetooth network (*e.g., see Pages 6 and 14*).

Regarding claim 7, **Schneider** discloses each said first transceiver includes circuitry [*e.g., Fig. 2: 106, 110*] for displaying a list of said remote devices on said video monitor (*e.g., see Column 14, Lines 1-57*).

The **AAPA** discloses each said first transceiver includes circuitry for displaying a list of said remote devices on said video monitor (*e.g., see Pages 3, 5-6, and 11-13*).

Regarding claim 8, **Schneider** discloses each said first transceiver transmits a connection request message to one of said plurality of second transceivers in response to a user's selection from said list (*e.g., see Column 14, Lines 1-57*).

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The **AAPA** discloses each said first transceiver transmits a connection request message to one of said plurality of second transceivers in response to a user's selection from said list (*e.g.*, *see Pages 3, 5-6, and 11-13*).

Regarding claim 9, **Schneider** discloses said connection request message includes a select channel for wireless communications between said first and second wireless communications devices over said wireless network (*e.g.*, *see Column 14, Line 1 - Column 17, Line 40*).

The **AAPA** discloses said connection request message includes a select channel for wireless communications between said first and second wireless communications devices over said wireless network (*e.g.*, *see Pages 3, 5-6, and 11-13*).

Regarding claim 10, **Schneider** discloses said list is generated by an on-screen display processor [*e.g.*, *Fig. 2: 110; Fig. 6: 700*].

Regarding claim 11, **Schneider** discloses said list is generated by software implemented on a general purpose processor [*e.g.*, *Fig. 2: 106; Fig. 6: 700*].

Regarding claim 12, **Schneider** discloses said list includes information related to said remote devices (*e.g.*, *see Column 14, Line 1 - Column 17, Line 40*).

The **AAPA** discloses said list includes information related to said remote devices (*e.g.*, *see Pages 3, 5-6, and 11-13*).

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Regarding claim 13, **Schneider** discloses said list is automatically updated with additional remote devices without changing operational modes (*e.g., see Column 14, Line 1 - Column 17, Line 40*).

The **AAPA** discloses said list is automatically updated with additional remote devices without changing operational modes (*e.g., see Pages 3, 5-6, and 9-13*).

Regarding claim 14, **Schneider** discloses said video data is compressed before being transmitted by said second wireless communications device of said second transceivers (*e.g., see Column 7, Lines 28-37*).

The **AAPA** discloses said video data is compressed before being transmitted by said second wireless communications device of said second transceivers (*e.g., see Pages 4-5*).

Regarding claim 15, **Schneider** discloses video data, keyboard data, and cursor control device data is encrypted before being transmitted by said first and said second wireless communications devices over said wireless network (*e.g., see Column 16, Line 41 - Column 17, Line 34*).

**Dellmo** discloses video data, keyboard data, and cursor control device data is encrypted before being transmitted by said first and said second wireless communications devices over said wireless network (*e.g., see Paragraphs 31-61*).

***Response to Arguments***

18. Applicant's arguments filed on *13 November 2007* have been fully considered but they are not persuasive.

The Applicant contends, "*the '895 reference does not show first and second wireless transceivers that couple to keyboard video mouse (KVM) interfaces of both the target computer and remote computer*" (see Page 10 of the Response filed on *13 November 2007*). However, the examiner respectfully disagrees.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (*i.e., keyboard video mouse (KVM) interfaces of both the target computer and remote computer*) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

***Schneider*** teaches a system [*e.g., Fig. 1ABC*] for providing wireless monitoring and control of remote devices [*e.g., Fig. 1A-1C: 20abc*], said system comprising:

a plurality of first transceivers [*e.g., Fig. 1A-1C, 2: 12*] each having  
a first wireless communications device [*e.g., Fig. 1A-1C: 53*] and  
each said first transceiver being coupled to a keyboard [*e.g., Fig. 1A-1C, 2: 122*],  
a video monitor [*e.g., Fig. 1A-1C, 2: 120*] and



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a cursor control device [e.g., Fig. 1A-1C, 2: 124]  
for receiving signals from said keyboard and said cursor control device; and  
a plurality of second transceivers [e.g., Fig. 1A-1C: 50] each having  
a second wireless communications device [e.g., Fig. 1A-1C: 53] and  
each said second transceiver being coupled to at least one of said remote devices  
for receiving video data [e.g., Fig. 1A-1C: via 120] from said remote devices and  
for transmitting said video data to said first transceivers over a wireless network (e.g.,  
*Column 4, Line 65: "device 53 may include... a wireless transceiver for wirelessly  
communicating")*),

wherein said first and second wireless communication device of said transceivers  
condition keyboard-video-mouse signals, where appropriate, to operate in a peer-to-peer network  
(e.g., see Fig. 1C -- wherein the target controller 50 is integrated within each target computer  
20abc)

to thereby enable monitoring and control of said remote devices without use of a switch  
to control connection between any one of said first transceivers and said second transceivers (see  
*the entire document, including Column 3, Line 25 - Column 17, Line 45*), as instantly claimed.

The Applicant contends, "*With regard to Claims 13 and 17, these claims are additionally  
believed to be non-obvious in view of the prior art since the system of the present invention  
allows for automatic updates of a list of available devices that can be monitored and controlled  
by way of KVM signals without resorting to another mode of operation*" (see Page 11 of the  
Response filed on 13 November 2007). However, the examiner respectfully disagrees.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (*i.e., a list of available devices that can be monitored and controlled by way of KVM signals*) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

**Schneider** discloses said list is automatically updated with additional remote devices without changing operational modes (*e.g., see Column 14, Line 1 - Column 17, Line 40*).

The **AAPA** discloses said list is automatically updated with additional remote devices without changing operational modes (*e.g., see Pages 3, 5-6, and 9-13*).

The Applicant contends, "*Claims 14 and 31 are also believed to be non-obvious and allowable in view of the cited prior art, since none of the references either alone or in combination teach or suggest the compressing of video signals in the context of KVM signals prior to wireless transmission thereof*" (see Page 10 of the Response filed on 13 November 2007). However, the examiner respectfully disagrees.

**Schneider** discloses, "*Although compression is not required, in this thin-interface embodiment, the preferred remote control software application 200 is LapLink by Traveling Software since, before transmission to the controlling computer 12, LapLink performs some*

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*analysis and lossless compression on the image resulting from the captured GDI calls.*

*Accordingly, in that thin-interface embodiment, LapLink can be replaced by any other remote control application but preferably one that also performs lossless compression on the captured GDI calls before transmission" (Column 7, Lines 28-37).*

Applicant's arguments with respect to *claims 1-5 and 7-15* have been considered but are moot in view of the new ground(s) of rejection.

By such reasoning, rejection of the claims is deemed necessary, proper, and thereby maintained at this time.

### ***Conclusion***

19. Applicant's amendment necessitated any new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeff Piziali whose telephone number is (571) 272-7678. The examiner can normally be reached on Monday - Friday (6:30AM - 3PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chanh Nguyen can be reached on (571) 272-7772. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jeff Piziali/  
Primary Examiner, Art Unit 2629  
12 August 2010